

REMARKS

Claims 1-20 are currently pending. The Examiner has rejected Claims 1-20 under 35 USC §103 as being unpatentable over the teachings of the West, et al patent. For the reasons set forth below, Applicants respectfully submit that Claims 1-20 are patentable over the cited prior art.

The present invention teaches and claims a system and method for multicasting a user request/query to a plurality of agents for information gathering. Based on user-entered preferential destination information, more than one agent is determined as a destination for the multicast request. The user does not specify a single destination, but issues a request with preferential destination information and the system/method performs the determination and multicasting to determined destinations. The preferential destination information is "information corresponding to a user's "taste" and represents [but does not specify] to which agents a message should preferably be sent" (see: page 8, lines 17-18). The user request does not identify agents, it simply indicates user's preferences (see also, page 3, lines 13-15, page 3, lines 16-18, and page 4, lines 20-24). The Specification goes on to teach that a retrieval request with preferential destination information may then be interpreted and processed as a specific kind of request, such as a travel request

JA998-075

or a merchandise request, etc., based on the results of the destination agent determining procedure (cf: Fig. 6), and then sent to multiple potential agents for handling such a request. The claimed invention does not require that a user specify the destination address.

In contrast, the West patent is directed to a method and system for choosing a communication access method and access number for a remote computer to access a single identified destination, either a single specific local computer or a single specific local area network. West discloses software for determining an access path and the cost of accessing along the path in order to connect the one computer to the identified one address/destination (computer or network) in the least expensive manner. A West user tells the system the exact destination and the system figures out the best mode of connecting that user to the exact destination.

The West patent is not directed to multicasting a request for information. Rather, West seeks only to connect one computer to one user-specified address/destination. Furthermore, a user in the West system does not enter preferential destination information for multicasting a plurality of request for information to a plurality of destinations/agents. Rather, the West user simply identifies the exact single destination and the

West software determines the best and cheapest way to connect the user computer to that exact single destination. The West system and method are not capable of handling requests in an agent environment, other than as a series of address-specific individual requests, since each request handled by West is a single-user-to-single-destination-address request.

Applicants disagree with the Examiner's conclusion that it would be obvious to "have combined additional users and put them into the system of West because doing so would provide more utilizations of the computer network" with a citation to St. Regis Paper Co. v. Bemis Co. 193 U.S.P.Q. 8 (7th Cir. 1977). It is first to be noted that the West patent teachings, of single user input of specific information to access a single specific destination, do not teach or suggest a multiple user environment. Accordingly, one having skill in the art would not look to the West patent for teachings which would be applicable in a multi-user, multi-destination, agent environment. West simply does not teach multiple users. Moreover, adding multiple users to the West system would only mean multiple discrete user requests, each being sent to the single specific destination input by the user. There are simply no teachings regarding multiple addressees/destinations, let alone of an agency situation wherein the multiple potential destinations are not specified with exact addresses.

Even if one were to seek to modify the West patent teachings to scale up to a multiple user environment, West still only provides teachings directed to responding to a user request by sending the single specific request to only the one designated addressee/destination. Adding more users to the West system simply means adding more discrete requests to the queue for determining the optimum communications mode for each request. Each request, however, would still only be a single request to be communicated to a single destination. West does not provide any suggestion that a user request have multiple potential destinations. In addition, West does not have any way of handling a request which does not specify a destination address for a single destination, let alone multiple potential destinations. Clearly, therefore, one having skill in the art would not look to modify the West patent to provide a system and method for handling generic user requests and multicasting them to multiple potential destinations.

Applicants respectfully note that the West patent effectively teaches away from multicasting a message, since to do so would incur multiple expenses, when the stated aim of the West patent is to connect the user computer to its destination in the least expensive manner. Applicants presented the foregoing argument in the previous Amendment, and respectfully request that the Examiner respond to the argument.

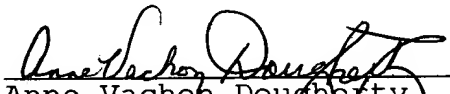
Applicants also respectfully assert that the cited St. Regis Paper Co. case is not appropriate precedent for the conclusion drawn by the Examiner's citation thereof. The St. Regis Paper Co. case does indeed stand for the principle that duplicating parts for multiple effects is not given patentable weight or would have been obvious. To duplicate the West system, one would provide multiple means for receiving and routing multiple single-user-to-single-addressee requests. However, the presently pending claims do not recite such multiple means, nor do they recite steps for providing a plurality of address-specific single destination requests from single users. What is explicitly set forth in all of the pending claims is a system, device and method for performing steps of multicasting a user request to more than one destination agent, by receiving a packet or message, determining which multiple agents are to receive the packet or message, said determining being based on preferential destination information or a messaging policy, and sending the packet of message to the determined destinations. Applicants are not simply multiplying the West single user-single destination request handling system to include multiple users or multiple request handlers; and the claims do not recite multiple users or multiple single user requests. The claims recite determining multiple destination agents for a user request and sending the message to the multiple agents. Clearly the St. Regis Paper Co. precedent is not applicable here.

Based on the foregoing amendments and remarks, Applicants respectfully conclude that the presently-claimed invention is not obviated by the teachings of the West patent. Accordingly, Applicants request withdrawal of the rejections, and issuance of the claims.

Respectfully submitted,

Y. Nakamura, et al

By:


Anne Vachon Dougherty
Registration No. 30,374

3173 Cedar Road
Yorktown Heights, NY 10598
Tel. (914) 962-5910